

EX PARTE OR LATE FILED

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93-22

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
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May 5, 1993 MAY 06 1993

FCC - MAIL ROOM

BY FEDERAL EXPRESS

Honorable Donna R. Searcy
Secretary
Office of the Secretary
Federal Communications Commission
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Secretary Searcy:

Enclosed please find four copies of Motion To Accept Late Filed Reply Comments On Behalf Of Association Of Information Providers Of New York Info Access, Inc. and American Telnet, Inc. Please be advised that the enclosed is a confirmation copy of our fax to you this day.

Also enclosed is an extra copy with a stamped self-addressed envelope, please date stamp and return.

Very truly yours,

Rosemary Campbell

Rosemary Campbell
Secretary to
Jane B. Jacobs

Enc.

rc/01/3095

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REF

MAY - 6 1993

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Policies and Rules Implementing
the Telephone Disclosure and
Dispute Resolution Act

)
) CC Docket No. 93-22
) RM-7990
)
)

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MAY 06 1993

MOTION TO ACCEPT LATE FILED REPLY COMMENTS

FCC-MAIL ROOM

1. Reply comments in the above-captioned matter due on May 4, 1993.
2. On behalf of Association of Information Providers of New York, Info Access, Inc. and American TelNet, Inc., this firm attempted to file timely reply comments. A package containing an original and four copies of the reply comments was delivered to LaGuardia Airport on May 4, 1993, to "Delta Dash", a same-day courier service using the Delta Airlines New York to Washington D.C. air shuttle.
3. The package was scheduled to be and was shipped to Washington on the 1:30 p.m. flight. Delta Dash provided assurances that this was ample time for delivery to the Federal Communications Commission ("FCC") that afternoon.
4. It appears that Delta Dash failed to deliver the package when it was received at National Airport; rather, it appears that the package was included with packages awaiting pick-up by private couriers.
5. At approximately 5:30 p.m., the undersigned learned that the package was at National Airport and had not been delivered.

6. Insofar as the steps taken should have ensured timely delivery to the FCC, and insofar as the failure to make timely delivery was due to the failure of the courier service, we respectfully request that the reply comments, which are to be delivered to the FCC under separate cover on May 5, 1993, be accepted.

Dated: New York, New York
May 5, 1993

SEHAM, KLEIN and ZELMAN